

REMARKS/ARGUMENTS

The present amendment and remarks are in response to the Office Action dated July 7, 2009. A Request for Continued Examination (RCE) is also filed herewith.

Claims 1-6, 10-15, 17-19, 23 and 24 are active in the present application. Claims 1 and 17 have been currently amended. Claim 22 has been canceled, and new Claim 24 has been added. Support for amended Claim 1 and amended Claim 17 can be found on pages 19 and 34 of the specification. Support for new Claim 24 can be found on page 19 of the specification. No new matter is believed to have been introduced by the amended and new claims.

Claim Rejections under 35 U.S.C. § 103(a)

The Examiner rejected Claims 1-6, 10-15, 17-19, 22 and 23 under 35 U.S.C. § 103(a), as unpatentable over U.S. Patent 5,861,463 (hereinafter the '463 patent), in view of U.S. Patent 5,278,272 (hereinafter the '272 patent). Applicants respectfully traverse for the following reasons.

The '463 patent is directed to thermoplastic compositions comprising three components: (a) a polypropylene matrix, (b) an elastomeric impact modifier, and (c) at least one homogeneous linear or substantially linear ethylene polymer (see abstract). The '463 patent requires that its homogeneous linear or substantially linear ethylene polymer has a density of at least 0.04 g/cm³ higher than the density of the impact modifier component (see abstract, column 1, lines 55-61, column 2, lines 7-12, and column 7, lines 39-44). Thus the '463 patent teaches away from compositions, as claimed, in which this density difference is not met. Moreover, preferably the homogeneous linear or substantially linear ethylene polymer has a density of at least 0.05 g/cm³ higher, and more preferably at least 0.06 g/cm³ higher, than the density of the elastomeric impact modifier (see column 7, lines 40-42). The '272 patent does not overcome the deficiencies of the '463 patent.

For at least the above reasons, the '463 patent, in view of the '272 patent, does not teach or suggest the invention as claimed. Applicants respectfully request the withdrawal of this rejection.

Applicants submit that the present amendment is now in condition for allowance, and request early notice of such action. If further issues remain, Applicants respectfully request that the Examiner call Applicants' undersigned representative.

Respectfully submitted,

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